

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 JUL 10 AM 10:35

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 MJ 2090

DEPUTY

UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

Leonardo Vazquez-Rodriguez)

Defendant,)

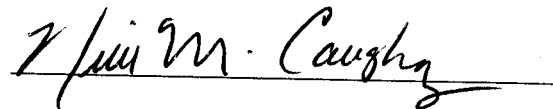
COMPLAINT FOR VIOLATION OF

Title 21, U.S.C., Sections 952 and 960
Importation of a Controlled Substance

The undersigned complaint being duly sworn states:

On or about July 9, 2008, within the Southern District of California, Leonardo Vazquez-Rodriguez, did knowingly and intentionally import approximately 29.85 kilograms of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



Nicole Caughey, Special Agent
U.S. Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 10th DAY OF JULY 2008.


MAGISTRATE JUDGE

STATEMENT OF FACTS

On July 9, 2008, at approximately 0400hrs, Leonardo Vazquez-Rodriguez, a United States citizen, attempted entry into the United States from the Republic of Mexico at the San Ysidro Port of Entry. Vazquez-Rodriguez was the driver of a gray 1991 GMC 1500 truck bearing California license plate 4F67557. Also present in the vehicle was Vazquez-Rodriguez' brother, Wilson Vazquez-Rodriguez (dob: 7/29/68). Customs and Border Protection (CBP) Canine Enforcement Officer (CEO) Stuart Hersey and his Narcotic Detector Dog (NDD) "Dada" were working pre-primary operations when "Dada" alerted to the presence of a narcotic odor emanating from a GMC 1500 truck driven by Leonardo Vazquez-Rodriguez. Upon inspection, CEO Hersey noticed that the fuel tank appeared to have been sprayed with mud. Both occupants provided CEO Hersey with a negative customs declaration and stated that they were on their way to work.

Customs and Border Protection (CBP) Officer Patrick Hernandez was requested to assist with the canine alert and approached the vehicle driven by Vazquez-Rodriguez. Officer Hernandez received a negative customs declaration from Vazquez-Rodriguez. When asked by Officer Hernandez where he was headed, Vazquez-Rodriguez told Officer Hernandez that he was on his way to work off of Delta Street. When questioned as to his citizenship, Vazquez-Rodriguez told Officer Hernandez that he was a United States citizen. Vazquez-Rodriguez also told Officer Hernandez that he owned the truck for six (6) months.

The vehicle was referred to the secondary inspection area where two (2) packages containing approximately 29.85 kilograms of a green vegetable matter were found concealed in a black metal container within the gasoline tank of the vehicle. A

presumptive test of one of the packages revealed a positive reaction to the presence of marijuana.

Vazquez-Rodriguez was arrested and charged with violation of Title 21 USC 952, 960, Importation of a Controlled Substance, and was booked into the Metropolitan Correctional Center, San Diego, CA.

Paul M. Coughlin
W. McWhorter